

**GOVERNMENT OF INDIA
SOCIAL JUSTICE AND EMPOWERMENT
LOK SABHA**

UNSTARRED QUESTION NO:950

ANSWERED ON:22.11.2007

POWERS AND FUNCTIONS OF CHIEF COMMISSIONER FOR PWD

Jena Shri Mohan;Owaisi Shri Asaduddin

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

- (a) the powers and functions of the Chief Commissioner for Persons with Disabilities as provided in the Act;
- (b) the details of the Commissioners appointed and presently functional, State-wise;
- (c) the present status of the process of constituting and functioning of State Coordination Committee and State Executive Committee, State-wise;
- (d) the details of the meeting held and the decision taken by these committees;
- (e) the details of complaints received by the Commissioners and the present status of its disposal; and
- (f) the funds allocated and spent for the purpose of bringing awareness about the facilities available to the disabled persons?

Answer

MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SMT. SUBBULAKSHMI JAGADEESAN)

- (a) As per Sections 58 & 59 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, the Chief Commissioner for Persons with Disabilities is to
 - (i) Coordinate the work of the commissioners
 - (ii) Monitor utilization of funds disbursed by the Central Government
 - (iii) Take steps to safeguard the rights and facilities made available to Persons with disabilities
 - (iv) Look into complaints relating to deprivation of rights of Persons with disabilities, non-implementation of laws, rules, bye-laws, regulations, executive orders, guidelines or instructions for welfare and protection of their rights and take up with the concerned authorities. The Chief Commissioner can take action on his own motion or on the application of an aggrieved person. To perform the above functions, the Chief Commissioner has been given certain powers of Civil Court namely
 - (i) summoning and enforcing the attendance of witness
 - (ii) requiring the discovery and production of any document
 - (iii) requisitioning any public record or copy thereof from any court or office
 - (iv) receiving evidence on affidavits and
 - (v) issuing commissions for the examination of witnesses or documents.
- (b) All the State Governments/UT Administrations have appointed Commissioners for Persons with Disabilities, who are functioning.
- (c) All the State Governments have constituted State Coordination Committees and State Executive Committees.
- (d) As these are Committees at the State level the records of these meetings are not maintained by the Central Government.
- (e) The Complaints received by the State Commissioners for Persons with Disabilities are handled by them independently, being competent authorities under the Act and are not centrally monitored.
- (f) For Persons with Disabilities various Appropriate Governments i.e. Ministries of Central Government, the State Governments, Central/State undertakings, local authorities and other appropriate authorities formulate schemes, which include awareness generation schemes. No separate details of funds allocated and spent for the purpose of bringing awareness, however, are centrally maintained.